Real Estate.

Loans on Bond and Mortgage, -

Total Assets,

Cash on deposit and in office, -

HENRY EVANS, President.

C. R. TUTTLE.
J. A. SWINNERTON Ass't Secretaries.

EDWARD LANNING. Vice-Presidents.

J. E. LOPEZ. E. L. BALLARD. | Secretaries.

SUNSHINERS LOSE MISS HAYS.

JUSTICE DAVIS CONCLUDES THAT SHE WAS WISELY RESCUED.

Habeas Corpus Calling on Relatives to Produce Her Dismissed-"A Good Thing That This Young Lady Escaped From Your Client," Says Court to Lawyer.

The habeas corpus proceedings of Margaret Blake Robinson and Louise Scattergood for the production of the person of Mas Anne Kissam Hays were thrown out of court yesterday by Justice Vernon M. Davis. No witnesses were examined and the writ was denied solely upon the affidayles of the interested parties and upon the legal status of the case. The Justice held that restraint had not been proved, and he admitted that he had been guided partly by what he had heard outside of court. To Miss Robinson's attorney he said:

"I believe from what I have heard here and elsewhere that it is a good thing that this young lady escaped from your client I am inclined to think that the people who rescued her from the mental and physical control of your client were very wise.

The Robinson affidavit set forth that Miss Hays had been removed from Miss Robinson's house in Yonkers by force; also that the petitioners wanted only to know if she was safe. The affidavits of the Hays brothers frankly charged that Miss Robinson was a bad influence over their sister. After the case was dismissed James C. Foley, attorney for Miss Hays, gave the Court a letter from Miss Hays tending to prove that she is not restrained.

It was not introduced in court," he said afterward, "because we were afraid to let these people know where she is."

Miss Robinson came into court surrounded by a cloud of settlement workers. Corena V. Furry, daughter of Dr. Furry. who is associated with Miss Robinson in the Herald of Light, was among them. Miss Robinson is a big woman with a square jaw, a prominent nose and a firm mouth She speaks in a deep voice. She wore gold eyeglasses and a plain blue gown on strict tailor made lines. She had no hesitation in talking about the case.

"One of the Hays brothers struck me, she began. Then she settled down to a recital of her side of the story. She said that after Hays struck her she tore down a picture from the wall of the in Yonkers and hit back with it. Miss Hays cried "Shame!" and clung to her until they tore her away. It appears from her story to have been a mighty interesting

"And when she was driving away." said Miss Robinson, "I said to her: 'May the peace of God which passeth understanding be with you now and forevermore.' I don't say this to show my piety, but just to show how I felt.

to show how I felt."

The opening of court proceedings interrupted her. Later she sent a long typewritten statement to the newspapers.

"The Hays brothers," she says, "have attempted to besmirch my character. Whether I will take action against them or be the says of the Miss. not depends on two things; first, Miss Hays's own request to me that I should not do so; secondly, whether they are responsible and have any money to meet

Miss Reynolds says that it is false that she ever travelled with Miss Hays. She says that Miss Hays gave only \$35 a month to the Settlement and never lent her, Miss Robinson, a dollar. Miss Hays asked her to take the cottage at Yonkers because of family unhappiness. She threatens to have Frank K. Hays arrested for assault. She also says that she assumed responsibility for all Miss Hays's bills at Yonkers, even for the carriage in which the invalid was carried away, and has not received a dollar

or a word from Miss Hays about them.

"The reason we have taken this step,"
she concludes, was because Miss Hays had
confided to Miss Scattergood that an attempt had been made to restrain her once
before, and that she was restrained for two
weeks. In that time, according to Miss weeks. In that time, according to Miss Scattergood, she was allowed to communicate with no one, and she dreaded such a thing happening again.

George Gordon Battle represented Mrs. Reynolds and the Hays brothers in court vesterday, as Mr. Foley is acting only for Miss Hays.

"So far as I am concerned, I shall go no further unless Miss Robinson makes another attempt to get hold of my client," said Mr. Foley. "I consider it to her interest that she should have no more publicity. I have broken the connection with Miss Rob

and I am satisfied." Melvin H. Dalberg said that he would have to confer with his clients before he could say whether he would take any fur-

BURGLAR BURNS BODINE HOME.

Rare Bugs and Oriental Art Treasures Fortunately Had Been Put in Storage.

PHILADELPHIA, Jan. 11.-To cover traces of robbery burglars poured kerosene on the front porch of Laurel Lodge, the Berwin home of S. Lawrence, Bodine of the U. G. I. last night, and then set the house on fire, burning it to the ground. From Mr. Bodine, who was summoned

from a business trip to Pittsburg, it was learned that his wife's fine collection of Oriental rugs tapestries, paintings and rare art objects was not destroyed as reported, being in storage in this city. Mr. Bodine could not say just what the

less was, but thought it would be approximately \$15,000, fully covered by insurance. Mrs. Bodine left on Saturday last for Italy, where she will spend the remainder of the winter. The house was closed, the art treasures and solid silver removed and

John Krummels, a negro, who lives at the high hill on which Laurel Lodge, a frame building resting on stone pillars, stood, said he saw a man carrying a lantern walk h the second story rooms of the Later he saw the man, still carry-

ing the lantern, walking about the rooms on the first floor. This did not arouse his suspicions, as he supposed the man was one of the Bodine servants. was one of the Bodine servants.

Shortly after the man descended to the first floor Krummels said he saw him stop on the porch and then the flames leaped

The negro said that he ran up the hill in the direction of the lodge, and as he did so saw a man cut across the fields.

KICKED BY VANDERBILT HORSE. Boy's Skull Fractured-Elevated Train

Scared the Animal. Milton Gans, 10 years old, who lives at 1018 Third avenue, got a fracture of the skull yesterday from the kick of a horse owned by Mrs. Cornelius Vanderbilt. The animal was on the way to the Vanderbilt stables, on East Fifty-seventh street, from Keenan's blacksmith shop, at 223 East

Michael Mallon, one of the Vanderbilt employees, was leading the horse by the halter. Crossing Third avenue the rattle of an elevated train startled the horse and it pranced and kicked about. The Gans boy was going down the avenue and got in the way of the flying heels. He was struck on the head and knocked uncon-

Mallon, who lives at 311 West Forty-seventh street, was arrested. At Flower Hospital it was found that the boy's skull

Mrs. Vanderbilt, it was said at the hospital called up on the telephone and asked tha ervithing possible be done for the boy's anfort. Mallon was taken to the Yorklle police court. Some one representing rs. Vanderbilt called up the court on a telephone and said that she would be responsible for his appearance in court whenever he should be wanted. Magistrate

Masterpieces

Artistic Piano orte '

¶ No lover either of Music, Art or exquisite craftsmanship in furniture should miss seeing the examples of "period" Weber Art Grand Pianofortes on public exhibition the remainder of this week at Aeolian Hall, 362 Fifth Avenue.

These beautiful creations for private music-rooms mark an important advance in pianoforte design in this country.

FUTURE OF FOOTBALL.

Dr. Gulick Thinks That There Are Many Signs of Hope in the Situation.

Dr. Luther Halsey Gulick, president of the American Physical Education Association, delivered an address at the People's Institute, Club A Union, 315 East Fifteenth street, last night on "The Present Football Situation." He hoped for an improvement, though he declared that he did not think matters were worse now than they He said in part:

Nothing more hopeful has happened to sport for years than the present uproar over amateur athletics. It means that the public conscience is becoming more sensitive to honesty in athletics. It does not mean that the present situation is either better or worse than it has been in previous decades. The truth is that there has always been a considerable percentage of men in athletics who were willing to violate both the rules and the spirit of the game for purposes of personal

Intercollegiate football is neither better not worse than it was a generation ago. Players would occasionally kick each other then. There is a great deal more football now than there was then; the audiences are much larger; the financial returns are larger; hence he evils are more glaring, but I do not think that they are worse.

This great protest against evil in athletics take to be the most hopeful sign for the Public opinion is coming to demand onesty not only in insurance and politics, but even in athletic sport.

Control is a necessity to freedom. This paradox is well illustrated in the case of college athletics. The games have developed spontaneously and have been uncontrolled. The result is that a great mass of students are out of athletics. Those who need most to play on athletic fields are ordered off the field by the director, because they do not have that type of physique or power which makes them available as intercollegiate material. The case is like that of a city school, which has a fair sized playground that in the old days of country schools would easily accommodate fifty pupils. But now we put on to these grounds 500 children, desiring them to have the same old fashioned play. They can't do it.

As soon as skill begins to have a financial advantage to the player it rapidly develops a type of sport and a degree of excellence before which the average man has no oppor-tunity. If a man can earn his living playing football it will be but a very few years before it becomes restricted to the comparatively low experts who make it their first business. This is unqualifiedly an evil.

A new spirit is coming into athletics. It is

the spirit of honesty, which is compelled by public opinion.

OBITUARY.

Mrs. Elizabeth M. Crosby died suddenly Mrs. Elizabeth M. Crosby died suddenly of pneumonia yesterday afternoon at her home, 45 Mailson avenue. She was 80 years old, a daughter of James Van Schoonoven of Troy, of the old patroon family of that name and a granddaughter of Col. Derrick Lane, a friend of Lafayette. Mrs. Crosby's husband was Edward N. Crosby, who died forty years ago. He was a brother of the Rev. Dr. Howard Crosby, formerly of the Fourth Presbyterian Church, and a grandson of Prof. Ebenezer Crosby, surgeon on Washington's stall and owner of the old Rutger. Fourth Presbyterian Church, and a grandson of Prof. Ebenezer Crosby, surgeon on Washington's staff, and owner of the old Rutgers mansion in the Swamp. Surviving relatives are four daughters, Mrs. William Howard Doughty of Williamstown, Mass.: Mrs. S. Beach Jones, Mrs. John Lindley and Miss Walter F. and Frederick V. S. Crosby of this city.

laniel Tuthill, a Pennsylvania Railroad ferry pilot who lived at 304 Montgomery street, Jersey City, died on Wednesday at Hackensack, in his sixty-third year. He entered the railroad's service in the lighterage department as a pilot in 1879. He was transferred to the Cortlandt street ferry two years later, remaining in charge of boats on this line until 1903. He was obliged to give up work on account of illness, but the railroad company kept his name on the payrolls. He is survived by his wife and one son, Capt. John J. Tuthill, also a Pennsylvania Railroad ferry pilot.

Franklin Moore, 82 years old, and for forty-two years a clerk in the Pension Office, died at his home in Washingtonen Wednesday. He was born in Lowville, N. Y., and was educated there. At an early age he became principal of the Rome Academy at Rome, N. Y., and Lyman J. Gage, formerly Secretary of the Treasury, was one of his pupils. Mr. Moore was succeeded as principal of the Rome Academy by Elihu Root, now Secretary of State. Franklin Moore, 82 years old, and for forty-

State.

Hugo Menzel, Jr., a son of former Fire Commissioner Hugo Menzel of Newark, died yesterday at his home, Oakwood, in Boyden avenue, Hilton, N. J. He was born in Hoboken in 1863. He was an insurance broker, with an office in New York. Mr. Menzel's wife died shortly after their marriage.

F. Werner Meyer of Bloomfield, N. J., 70 e Government as a tobacco inspector, died Wednesday night of heart disease. A wife and two grown children survive him.

wife and two grown children survive him.

Frederick Helmlinger, who had been superintendent of the Orange, N. J., poor farm for
about fifteen years, died yesterday at his
home on the poor farm. He was 85 years
old and was born in Ingriller, France.

The War Department has been advised of
the death of Major Albert S. Scott, U. S. A.,
retired, at Milledgeville, Ga., on January 10,
as the result of a wound received at the battle
of Santiago, Cuba.

Santiago, Cuba Santiago, Cuba. William E. Lakeland, the sixteen-year-old on of William Lakeland, the horse owner and ainer, died at his home in Neptune avenue, oney Island, vesterday. oney Island, yesterday.

The Weather.

The temperature continued to rise yesterday in ost all districts east of the Missouri Valley and in the Southern States, the greatest changes being recorded in the Atlantic and Gulf States, Chio and Tennessee and the lower Mississippi valleys. It was markedly colder in Minnesota and North Dakota. A storm area over the Northwest, in onjunction with a low pressure on the built coast, was causing rain in the south Atlantic and Gulf States and snow in the middle Mississippl and Arkansas valleys and general cloudiness from the Lake regions eastward. The temperature was above freezing over almost all the eastern half of

In this city the day was fair, becoming cloudy toward evening; warmer; wind, light southwest; average humidity. 53 per cent; barometer, corected to read to sea level, at 8 A. M., 30.57; 3 P. M.

The temperature yesterday, as recorded by the official thermometer, is shown in the annexed tabl 906. 1905. 1905. 1906. 1

WASHINGTON FORECAST FOR TO -DAY AND TO -MOREOW For eastern New York and New England, rain o day: fair and colder to morrow; fresh to brisk

th shifting to west winds. For eastern Pennsylvania, New Jersey and Dela ware, rain to day; fair and colder to morrow; fresh southwest to west winds.

For the District of Columbia, Maryland and Virginia, rain to day; fair to morrow; fresh west to

For western Pennsylvania and western New York. rain and somewhat colder to-day; fair to-morrow; fresh west winds.

OUR SQUADRON AT GIBRALTAR

ON ITS WAY TO MOROCCAN CON-FERENCE AT ALGECIRAS.

Surface Indications Show No Cause for Dispute Between Germany and France but Differences Are Bound to Come -Senate Sidetracks Bacon's Resolution

Special Cable Despatch to THE SUN. GIBRALTAR, Jan. 11 .- A squadron of the United States North Atlantic fleet, under command of Rear Admiral Charles D. Sigsbee, consisting of the armored cruiser Brooklyn (flagship) and the protected cruisers Galveston, Tacoma and Chattanooga, arrived here to-day. The warships are on their way to Algeciras, where the international conference on Morocco is to

WASHINGTON, Jan. 11 .- M. Jusserand, the French Ambassador, discussed the Moroccan situation and the status of the relations of France and Venezuela with Secretary

Root to-day. With regard to Morocco it became known to-day that on the surface the attitudes of Germany and France, as explained to the State Department, are absolutely identical, both countries standing for the open door and unrestricted commerce. This Government agrees with this policy.

While this is the attitude of the two Powers, there is no doubt that the conference will bring out some serious difference of opinion as to the method of applying the policy of the open door. This Government feels that there is really nothing in the issues which will be discussed at Algeciras to warrant a war between Germany and France, but the authorities recognize that the conference would be a very good excuse for war for any one who wants to fight.

Senator Bacon took up nearly three hours of the session to-day in an effort to get his Morocco resolution before the Senate for consideration.

At the close of the morning hour Mr Bacon made the point that his resolution was the regular order and took precedence over the Shipping bill as the unfinished business. The Georgia Senator was proceeding to speak on the parliamentary status of his resolution, when Mr. Morgan made a motion to close the doors, and he was promptly seconded by Mr. Pettus.

The Republican Senators apparently derived considerable amusement out of the fact that Mr. Bacon was thrown into closed session by a motion from the Democratic side of the Chamber. The closed session lasted for over two hours. There was no vote, but the signal of two bells announced the lack of a quorum, which called back into chamber many Senators from their committee rooms who had lost interest in the discussion.

Shortly after the doors closed the Vice-President announced his ruling in the matter, holding that as Mr. Bacon's resolution had gone to the calendar under the practice of the Senate it could be taken from the calendar only by unanimous consent.

The remainder of the closed session was devoted to speeches by Messrs. Teller, Morgan and Bacon. Mr. Morgan made the principal speech, which occupied an hour. He urged the Committee on Rules to bring in a rule to cover such cases. The Republicans remained silent throughout the discussion, and when the Democratic Senators had exhausted the debate the Senate adjourned.

PETITION AGAINST SMOOT. It Is in 45 Bound Volumes and Contains Over a Million Names.

WASHINGTON, Jan. 11 .- The most numerously signed protest ever submitted in the United States Senate is now being bound in a series of forty-five volumes, each containing the names of the signers for one State. The protest is signed by over a million names, members of the National League of women's organizations, and is directed against Senator Reed Smoot of Utah. Each volume, when bound, will be submitted to a Senator from the particular State in which the protestants reside, with a request to present it in the Senate on the day the Committee on Privi-

Senate on the Smoot case.

The protest for Utah will be intrusted to Senator Sutherland, who will vote in favor of Senator Smoot; but if he declines introduce it, the protestants will ask the Senator from some othe Sta sent it, on the ground that the othe State to pre sent it, on the ground that the right of petition ought to be preserved to the citizens of Utah. Senator Sutherland, al-though favorable to Senator Smoot, his colleague, will probably submit the pro-test, saying as he does so that it is sub-

mitted by request.
Senator Burrows, chairman of the Committee on Privileges and Elections, an-nounced to-day that the hearings in the Smoot case had been postponed from Smoot case had been postponed from January 25 until February 6, to enable protestants, to be present and interrogate

MR. NOAKES'S THIRD BURGLARY. Alarm Worked This Time and Thieves Got

Only a Little-No Arrests. For the third time within a year the residence of George Noakes, at 413 Riverside Drive, has been robbed, and Mr. Noakes says that the burglars have become such a nuisance that he is thinking of putting out a

but just to walk in and help themselves. Mr. Noakes was awakened at 5:30 o'clock yesterday morning by the burglar alarm. He ran down to the front door to find it open. He aroused the household, and soon found that the burglars had gained entrance by prying open one of the kitchen windows. The thieves then went to some of the rooms on the third floor and helped themselves to some furs and small articles of jewelry. Mr. Noakes found a bundle of clothes the thieves had packed but which they left in

hallway on the first floor. Burglars paid him a visit almost a year ago. On that occasion they got only as far as the dining room and helped themselves to all the silverware they could carry

Last September the house was robbed Last september the house was rooted while the family were all asleep. The burglars then got away with about \$800 worth of loot, including \$200 in cash, which they stole from Mr. Noakes's trousers in his room and a valuable gold watch. A careful search was made of the house, but there was no sign on any of the windows or doors which gave any clue as to how the burglars had gotten into the house.

e police have never made any arrests stolen goods.

DOESN'T LIKE SON-IN-LAW TITLE. "Rubber Tire King" Sued by Man to Whom

He Sent Letters. SPRINGFIELD, Ohio, Jan. 11 .- E. S. Kelly, known as the "Rubber Tire King," was arraigned to-day on the charge of misusing the mails. The complaint was made on evidence submitted by Dr. C. C. Dimond. Kelly's bond was fixed at \$200 and his trial was set for January 18.
Dr. Dimond objects to Kelly sending

him letters addressed to "Dr. C. C. Dimond, son-in-law of Gov. Bushnell." It is probable that Kelly will admit the facts alleged and that the arguments will be as to whether or not the address is a viola-tion of the postal laws.

The feeling between the two men is over a financial matter.

INCORPORATED 1853.

CONTINENTAL (FIRE) INSURANCE COMPANY,

HOME OFFICE:

Premiums in course of collection, - - -

Interest, Dividends and Rents accrued. - -

ASSETS.

State, Municipal, Railroad Bonds and Stocks, - \$13.099,455.00 Capital.

CONTINENTAL BUILDING, 44-46-48 CEDAR ST., N. Y.

280 LA SALLE ST., CHICAGO, ILLS.

FIFTY-THIRD ANNUAL STATEMENT, JANUARY 1st, 1906.

LIABILITIES. \$1,000,000.00 - 1,150,000.00 Reserve for unearned premiums on policies in force, 6,157,738.23

328,209,17 16,350.00 Reserve for losses in process of adjustment, -174,329.30 906,924.77 Reserve for Commissions, Taxes and all other claims,

300.000.00 93,718.54 Reserve for Contingencies, - - -Total Liabilities. - - -- \$7,960,276.70

Net Surplus,

\$8,424,225.13

\$16,384,501.83

FINANCE COMMITTEE: Under whose supervision the funds of the com-

pany are invested.

ALEXANDER E. ORR, Chairman. GEO. F. BAKER. F. P. OLCOTT JOHN L. RIKER. WM. A. READ

Order your insurance in the CONTINENTAL and you will have the best. RENT INSURANCE. FIRE INSURANCE. TORNADO INSURANCE.

GEORGE E. KLINE.

EDWARD LANNING.

WILLIAM G. LOW.

FRANCIS C. MOORE.

H. H. LAMPORT.

- 1,118,043.52

\$16,384,501.83

WILLIAM L. ANDREWS.

CLARENCE W. BOWEN.

G. TROWBRIDGE HOLLISTER.

GEORGE F. BAKER.

AURELIUS B. HULL.

HENRY EVANS.

FORCE OPEN A WINDOW WHILE THE FAMILY IS AT DINNER.

A Maid Sees Them and Screams-They Run, but One of Them Is Caught-He Is a Negro Who Refuses to Give the Name of His Pal-They Didn't Get a Great Deal.

Two negro housebreakers of the class known to the police as dinner thieves entered the residence of Edward F. C. Young, president of the First National Bank of Jersey City, on the Hudson boulevard between Montgomery street and Glenwood avenue, that city, last evening while the cleaned and that rubbish and filth had members of the family were at dinner. A maid disturbed them at their work of looking for valuables by screaming "Burglars!" and they made a hurried escape.

A lively chase followed and one of the thieves, who described himself as John dition. The contention of Schinburg's Williams, 33 years old, of 331 West Thirtyfifth street, New York, was arrested by Police Captain John Cody of the Seventh

precinct. The men reached the house at 6:50 o'clock. just before the burglar alarm system had been set for the night and an hour prior to the time the night watchman who patrols the grounds surrounding the residence reported for duty. They saw Mr. Young and his wife sitting at the dinner table and then boldly walked on to the main porch. They forced a catch off a window on the Glenwood avenue side with a chisel raised the sash and stepped into the parlor.

"The lights were so bright," said Williams, in telling his story to Chief Murphy later, "and things were so beautiful that I was dazed for a minute and couldn't budge.

The negroes tiptoed their way upstairs and Williams went into Mrs. Young's room, where he got a hand bag containing a purse, which he jammed into his overcoat pocker His pai in the meantime was inspecting the interior of the banker's room. Anna Lutgen, a maid who was stationed on the ond floor for the purpose of seeing that moving around and screamed at the top The negroes ran downstairs two steps at a time and retraced their tracks through the parlor for the half open win-dows. Mr. Young and his wife heard the maid's screams and left the table. They reached the main hall as the thieves dis-appeared through the window and did not was in an uproar in an instant and Joseph Walker, the butler, added to the confusion by firing a revolver in front of the house. On Capt. Cody's prisoner was found \$57 in gold coin and bills, which he had taken from Mrs. Young's purse. He also carried a chisel, with which the window had been forced open. He wore a two and a half carat diamond ring and a big diamond stud. He said he had been a Pullman car companion. Chief Murphy said that it was lucky Mr. Young didn't meet the burglars as they were coming down stairs. They were desperate men, the chief said, and would probably have shot anybody who had got in their way. Mr. Young is over nad got in their way. Mr. Johns is over 70 years old. He was ill recently and has not regained his former health.

ROGES FUNERAL CALL.

Covered Up Robbery of \$1,200 From Undertaker's Rooms-Tobacco Clue.

James Brown, an assistant employed Samuel Sloane, an undertaker, of 20014 East Twenty-eighth street, left the office at 11:30 Wednesday night and went to 225 East 125th street. He had been summoned by telephone to make arrangements sign requesting the thieves not to break in,

for a funeral. His living apartments are over the undertaking office, and in his absence his wife discovered that thieves had entered the place and carried off \$1,200 from the safe, which was not locked. She notified the police, and detectives got to work just as her husband got back and explained that he had been sent on a wild goose chase.

The detectives found a half filled bag

of Duke's mixture tobacco in the hall. Robert Gardner, an embalmer, who lives at 447 Second avenue and who was emred by the undertaker, was known to smoke that kind of tobacco and he was

The detectives found \$62 and another The detectives found \$02 and another bag of the same kind of tobacco in his pockets. From information the prisoner gave the police arrested Joseph Clark and James Hall, who live at 334 East Forty-first street. There was \$118 in Clark's pocket and \$259 in Hall's pocket.

Nellie McLaughlin, a young woman who lives in the same house on East Forty-first street, was taken along with the men. The prisoners were arraigned in the Yorkville police court yesterday on a short affidavit made by one of the detectives. Magistrate Whitman held them for ex-

LIEDERKRANZ BACHELOR BALL. 700 Guests Under the Apple Blossoms and

The Bachelor Circle of the German Liederkranz gave its twenty-second annual ball at the clubhouse in East Fifty-eighth street last night. Seven hundred guests were present and three bands were on hand. One was the promenade band, another furnished the dance music and the third, a Hungarian band, played in the room where the refresh-

ments were served.

The clubhouse was decorated with apple blossoms and grapevines, among which were hung hundreds of small electric lights. Among those on the bachelor reception committee were Louis Ott, Jr., A. H. Muller, William F. Rudolphy, R. C. Kammerer, Charles Forster, Otto von Schrenk and

THIEVES ROB BANKER YOUNG HEALTH BOARD BAD, SAYS GOFF. MRS. PARK ASKS A DIVORCE, TOO. The Recorder Declares That Its Methods Replies to Husband's Suit in Kind-She's Active Cop Gathers in Five Schoolboys Pave the Way for Graft.

The state of the s

Recorder Goff raked over the Health The Recorder practically charged that the way things are run in the Health Department is an incentive to employees

and other subordinates to graft. Jacob Schinburg, a clothing manufacturer at 324 Canal street, was on trial, having been indicted for violating sections 1126 and 1262 of the sanitary code of the Greater New York Charter. It was charged that the place had not been scrubbed or been allowed to gather to such an extent "as to be dangerous and detrimental to

According to the evidence presented at the trial the place was in a very bad concounsel was that he had never been notified by the Board of Health. The complaint on which Schinburg was indicted was made by Inspector John Sullivan of the Health Department. A doctor and a an also made an investigation.

After hearing the evidence the Recorder decided that the contention of Schinburg's counsel was correct. Assistant Discret At-torney Garvan made an investigation and found that the Board of Heauth had no ord that Schinburg had been notified. record that Schinburg had been house. Half a dozen complaints had been made against Schinburg's place, however, and they were on file. The Recorder said: "There is no evidence that any order was ever served on the defendant, and it is plain, without argument, that the Board

Health never acquired jurisdiction, reveals an astonishing condition of afirs in a public department of the city one charged with greater discretion and one charged with greater discretion and more plenary power than any other de-partment of the municipal government— that such an important proceeding as this should have been taken and instituted without the slightest regard to the forms of

to be practised on citizens. For a great department to allow its subordinatesits clerks and inspectors—to initiate pro-ceedings and to issue orders themselves without the slightest regard to the forms of law or without the knowledge of the heads of the department is, to say the leas', startling.
"And as the District Attorney has stated as a result of his examination since yesterday it has been found that in the Board of Heal of record has been made for eight years any such proceedings; and to t t this great department, charged the maintenance of conditions on which the health of the city depends, should continue for eight years without any regard

whatever to the plain requirements of the law, and that a number of subordi-nates should have been allowed to arrogate to themselves powers conferred by law only on the Board of Health, is surprising "I am compelled by the extraordinary nature of this case to make these observa-tions to the jury, in the hope that they may result in the introduction of some system into that department that will be

rmity with the plain requirements WANT STORK MYTH EXPLODED. Would Tell Little Girls "Truthfully That

the Lord Brought Baby Brother." CHICAGO, Jan. 11.-Clay modeling, basket weaving and such "frivolous fads," which now form an important part of the curriculum of our public schools, will shortly be relegated with the curiosities of the stone age, if the agitation started by the West End Mothers Council yesterday afternoon reaches the proportions sought by the The more necessary and humane study of caring for and rearing children will also be a part of the curriculum if plans

do not miscarry.

False standards of training children, based on parents' lack of truthfulness in dealing with them, was scored by Mrs. C. R. Dimond.

"Children," said Mrs. Dimond, "should be taught the problems of higher life by their lacks of the controlled to seek

their parents, and not be compelled to seek their information from outside, and often from vicious sources. Their questions should be answered truthfully, so far as should be answered truchiny, so lat as they are able to comprehend.

"Even a four-year-old child should not be told the stork myth in answer to her question about little brother, but should be truthfully told that the Lord sent him.

"Our girls are not to blame for their ignorance in the rearing of children and the

judicious care of the home," said one NO PARDON FOR ROUGH RIDER. President's Plea to Governor of Colorado

Falls to Bring Freedom.

DENVER, Col., Jan. 11 .- Gov. McDonald has refused to pardon Convict Curtis C. Waggoner, who fought with the Rough Riders in Cuba and for whom President Roosevelt personally interceded. Waggoner confessed to horse stealing. His term in the Colorado penitentiary will soon expire.
The Governor, after receiving President

Roosevelt's suggestion for elemency and satisfying himself of the facts in the case, referred the matter to the trial judge to see if anything could be done. Jud Northcutt of Trinidad made this reply. "It seems to me that when a man serves with distinction under the Stars and Stripes he would consider honor paramount to everything else. But I realize the fact that too many men who have gained honor on the battlefield think that this honor should make them immune from punishment for the grimes they commit in after life."

in Europe, He in Africa.

CHARLES A. MOORE. ALEXANDER E. ORR.

F. P. OLCOTT.

JOHN L. RIKER.

CYRUS PECK.

WILLIAM J. MATHESON, WILLIAM A. READ.

RICHARD A. McCURDY. DANIEL G. REID.

In reply to the charges against her in Department and its methods yesterday in her husband's suit for divorce, Mrs. Edith directing a jury to acquit a man who had Park, wife of Walter E. Park, has put in an been indicted under the sanitary laws. answer accusing him of misconduct with several women and asking for a divorce on her own account. She denies all his charges.

Walter E. Park hails from Brooklyn, where he was married, but he is at present general manager of a large mining concern | battle waged desperately. It was most at Johannesburg, South Africa, getting, it is said, an income of \$60,000 a year. Mrs. Park is living at Yverdon, Switzerland, where she went for her health a couple of years ago. She is a daughter of F. E. Marsh of Newark. Mrs. Park is said to have been ill ever since

her husband began his action, suffering, according to the Swiss doctors, from an aggravated case of neurasthenia and anæmia. She had great difficulty in making up her defence and reply, as she has had to employ counsel in London, who visit her and then send the papers they draw up to New York. Owing to her illness it has been impossible to draw up papers within the limits prescribed, and Park's

within the limits prescribed, and Park's lawyers, it is charged, have fought every attempt to secure more time.

In his complaint Park named Frank P. Wood of Johannesburg and Walter See as corespondents. Mrs. Park lived with her husband in Johannesburg till 1901, when, according to her affidavit, he told her to get a divorce. She refused, and they separated, he agreeing to allow her \$500 a month for her support. They have no children.

Mrs. Park makes numerous charges against her husband. She alleges, in the first instance, that he was intimate with first instance, that he was intimate with Margaret Peterson in Johannesburg be-tween 1897 and 1901. Next, that from March, 1899, to June, 1900, he was too friendly 1899, to June, 1900, he was too friendly with Mrs. Ritchie, an opera singer known on the European concert stage as "Liskas." Park met Mrs. Ritchie, Mrs. Park alleges, in London, Paris and New York. Lastly, the

wife names in her counterclaim one Madge Hilton or Hildon, of whom she says nothing Since the suit was begun a commission "I have no comment to make as to the opportunity which such a practice would present for not only oppression on the part of subordinate officials of the Health that Mrs. Park has got in her counterclaim by leave of the court.

for two years more GAVE CORPSE A HAIRCUT. Wife and Mother Didn't Recognize Nadler

spect that the suit will not be ended

and Worrled Coroner. Coroner Harburger received word yesterday through the District Attorney's office that an investigation should be made into the death of Herman Nadler of 28 Avenue B, who died on Monday in the insane ward of the Manhattan State Hospital at Central Islip, L. I. It had been reported to the District Attorney by Mrs Fannie Nadler, widow of the deceased, that she had observed certain black marks on her husband's body when she last visited him at Islip which caused her to believe

he had been roughly handled. When Coroner Harburger arrived at the Nadler home he found a roomful of mourn-ers gathered around a sealed coffin. After the room had been cleared he removed the coffin lid and examined the body, but ould find no marks of violence. Nadler's mother and wife and several friends were then admitted to the room Mrs. Nadler gazed at the remains and sud-

denly shricked That's not my husband."

Her cry was taken up by the mother, who declared the deceased was not her Believing that a substitution of bodies had been made, Coroner Harburger rushed back to his office and called up the Manhattan State Hospital on the telephone. The facts were stated to Dr. Brink. He said that two men had died on the same day as Nadler, that the bodies had been given to undertakers whose names he didn't know, and that if any substitution had

been made it was unknown to him

Coroner Harburger hurried back to the Nadier home, where he was greeted by Mrs. Nadler, who exclaimed: "Coroner, I've made a mistake. The body is that of my husband." "But I thought you and your mother said it was not," expostulated the Coroner.

"Well, you see, my husband had long hair, whiskers and a mustache. They gave him a shave and a haircut and I didn't recognize him." COMBINE FIGHTS LA FOLLETTE. Battle On for Control of the Wisconsin

Republican Machine.

ignorance in the rearing of children and the MILWAUKEE, Wis., Jan. 11.-W. D. Connor, Isaac Stephenson and Gov. Davidson are lining up to fight Senator La Follette for the control of Republican politics in Wisconsin. Gov. Davidson is angry at La Follette because Speaker Lenroot, and not himself, was chosen as the La Follette candidate for Governor. Connor also wanted to be Governor and Stephenson wanted to be Senator.

Connor has been in conference with Davidson for three days past. Stephenson is awaiting developments. Connor's plan is to obtain control of the State central committee and to secure the nomination of Davidson for Governor and then dictate the policies of the administration during

Davidson's term.

Other plans are to secure, if possible, from Stephenson the control of the Milwaukee Free Press and to secure for himwalkee Free Fress and to secure for him-self the election of United States Senator to succeed John C. Spooner in 1907. To ac-complish this, it is said, Connor has de-termined to make use of the support of the Salwart wing of the Republican party, as well as the organization of which he is at the head.

SNOWBALLERS ARRESTED.

ACTION OF A NOTED SAME COST. IN

Little Girl Has a Black Eye. The small boys of Public School 27, which is in The Bronx, at St. Ann's avenue and 148th street, gobbled their lunch in a hurry yesterday that they might have more time to skylark in the fast melting snow. An army of 200 or more, well intrenched, resisted the furious assaults of the other army, which attacked in double column. The enjoyable, because street snowballing is against direct orders from the principal.

Thomas J. Meighan. At, the most exciting moment a lady in distress, ten-year-old Helen Srenatz of 817 East 147th street, scurried across the battle. field. The deadly volleys of grape and solid shot ceased, but a missile, no doub; from the hand of a camp follower-all the heroes indignantly denied afterward they did it—caught her over the left eye, knock-ing her down and raising a lump as big as

a pigeon's egg.
Then came Policeman Rosendale of the Then came rolleging hospitals of the Alexander avenue station, loping earnestly. There was a great scattering of scared boys. They evacuated the fort and deserted the field, attackers and defenders and the field of the field o uniting in a panic rush for St. Ann's Park. The injured lady screamed. The cop pursued into the park and came out with hand-

fuls of heroes—two in each big hand.

The wounded damsel denounced in particular one boy, who had rushed into the school with the first ringing of the 1 o'clock bell. The principal went to his room, the fourth grammar grade, and asked if such a boy was there. The teacher solemnly pointed him out and he stood up among his breathless classmates. The policeman took him away and put him in a patrol was on with the four that had been cantured wagon with the four that had been captured

his boy's name was Charles Breitenstein. This boy's name was Charles Breitenstein.
He lives at 482 Brook avenue. Against his name on the police station blotter was written the terrible charge "snowballing in the public streets." Pretty soon the parents heard about these things and the Alexander avenue station could hardly hold all the fathers and mothers that went there to give their oninions. The parents got

to give their opinions. The their boys out on bail finally CONVICT ELECTION CHAIRMAN Who "Performed the Eights of an American

Citizen" Too Often. James A. McGuire of 90 Amsterdam avenue was convicted before Justice Fitzgerald in the Supreme Court, criminal branch, yesterday of voting illegally. Mc-Guire was chairman of the election board in the Ninth Election district of the Nineteenth Assembly district and went to the Fortieth Election district of the same Assemby district where he voted under the name of Harry W. Jennings. He was challenged but swore in his vote. It was brought out at the trial by Assistant District Attorney Vandiver that McGuire was warned not to vote, but insisted on "performing the rights of an American citizen."

rights of an American citizen."

Matthew Conlan, a coffee dealer at 400
West Twenty-third street, was arrested
yesterday in Hackensack. He was an yesterday in hackensack. He was an election inspector here and was indicted several days ago on the charge of neglect of duty. Hearst watchers made the com-

Commissioner O'Reeffe Once More &

Father. Second Deputy Police Commissioner O'Keeffe, in charge of the boroughs of Brooklyn and Queens, let it be known yesterday that he had on Wednesday night become the father of a bouncing boy. He now has two sons and two daughters.

A Beefsteak Dinner is not complete without Evans' Cream Ale.

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